

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ARIEL INVESTMENTS, LLC	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 15-cv-3717
	)	
ARIEL CAPITAL ADVISORS LLC	)	
	)	
Defendant.	)	

**Plaintiff Ariel’s Motion for Partial Summary Judgment**

The Court should enter partial summary judgment in favor of plaintiff Ariel Investments, LLC (“Ariel”) on its Sections 32 and 43 Lanham Act claims against defendant Ariel Capital Advisors LLC (“Ariel Capital”) pursuant to Federal Rule of Civil Procedure 56.

Ariel has been using “Ariel” in its company name and service mark non-stop since 1983, and today is a nationally-known, award-winning financial services firm with more than \$10 billion in assets under its management. In January 2014, Christopher Bray founded Ariel Capital and decided to use “Ariel” in the name for his financial services business, armed with full knowledge that he was infringing Ariel’s long-standing service mark rights. Thus, it is not surprising that Mr. Bray’s decision to use the *same name* for a business offering the *same services* has led to actual confusion between the two firms. Nevertheless, Mr. Bray has refused to stop infringing in the face of Ariel’s superior service mark rights.

This Motion is supported by an accompanying Memorandum, a Statement of Material Facts, and supporting exhibits.

WHEREFORE, Ariel respectfully moves this Court for entry of partial summary judgment on its two Lanham Act Claims and an order (i) enjoining Ariel Capital and all persons

and entities acting in concert with Ariel Capital from infringing the ARIEL Marks; and (ii) awarding Ariel damages, prejudgment interest, costs, and attorneys' fees as specified in its Memorandum.

Dated: October 7, 2016

By: /s/ Zachary J. Watters  
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**Certificate of Service**

I, Zachary J. Watters, an attorney of record in this matter, certify that on October 7, 2016, I caused a copy of the following document:

**Plaintiff Ariel's Motion for Partial Summary Judgment**

to be filed with the Clerk of Court of the United States District Court for the Northern District of Illinois by electronic (ECF) filing, which provides service for the following counsel of record by email delivery:

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